

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject

Legislative Policy: Criminal Gang Activity Legislation

**Policy
Number**

M-53

Page

1 of 2

Purpose

To establish the Board of Supervisors' legislative policy regarding criminal gang activity, and to provide guidance to the County's legislative representatives when advocating the County's interests to legislators, other elected officials and policy makers.

Background

In recent years, the issue of criminal gang activity has acquired considerable importance throughout the country. In past legislative sessions, elected officials have introduced numerous bills addressing the criminal gang problem in one way or another.

The public is still concerned that gang activity is increasing in intensity, type and amount. The term "gang territory" has expanded from geographic turf to include economic and criminal enterprises. The advent of narcotics trafficking (primarily rock cocaine) as the major factor in street gang activity has led to economic destruction in many communities and neighborhoods. Narcotic cartels now consist of both gang and non-gang members. These cartels are youth gang operations as much as adult organized crime activity. The combination of changes in gang structure and profits from drug trafficking has synergistically affected gang power.

Recognizing that graffiti tagging is a visible sign of gang affiliation, the Board of Supervisors established a policy to support legislation that increases penalties for violating graffiti laws. The huge cost to the public to eradicate graffiti suggests the need for more severe measures than are currently available. On December 9, 1997 (24), the Board of Supervisors adopted an ordinance related to conditions for participation in the County's Graffiti Diversion Program for minors.

The intent of this policy is to identify those legislative components that would serve the long-term interests of our community. Legislation that would address this very complex problem must include funding for law enforcement, probation supervision, witness protection, gang violence prevention and suppression, and drug and alcohol abuse prevention and treatment.

Policy

The legislative policy of the Board of Supervisors regarding criminal gang activity is to:

1. Support legislation that would provide community education to assist in understanding how gangs function and the best social and legal methods for solving this crisis.

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Page

2 of 2

2. Support legislation that would fund countywide inter-agency gang suppression task forces to further enhance the various specialized programs in law enforcement, the courts, and probation, which specifically address hard-core gang members.
3. Support legislation that would fund countywide witness protection programs staffed by trained prosecutors and police officers with sufficient expertise in the legal, physical, and administrative aspects of witness protection.
4. Support legislation that would create a statewide organized crime intelligence information network.
5. Support legislation that would fund programs that identify and address the causal factors that lead to gang involvement.
6. Support legislation that would provide funding for the development of programs addressing criminal gang activity.
7. Support legislation that would provide maximum flexibility in use of state and federal funding to permit local officials to develop programs that respond to the unique problems of individual communities.
8. Support legislation that would increase penalties for repeat offenders of graffiti laws.
9. Support legislation that would allow a public entity to recover reward costs paid out by the public entity for information leading to the conviction of the graffiti violator.
10. Support legislation that would provide full restitution for graffiti victims from the parents or guardians of a minor found guilty of violating graffiti laws.

Responsible Departments

1. Public Safety Group
2. Health and Human Services Agency
3. Office of Strategy and Intergovernmental Affairs

Sunset Date

This policy will be reviewed for continuance by 12/31/07.

References

Board Action 8/9/88 (36)
Board Action 1/10/89 (57)
Board Action 4/13/99 (42A)
Board Action 1/13/04 (13)